

LABEL IN PART: (Btl.) "100 Tablets List 525 Quality R/W Products Sulfadiazine (2-Sulfanilamidopyrimidine) 7.7 Grains (0.5 Gm.)" and "100 Tablets List 340 Diethylstilbestrol 5 Mg."

RESULTS OF INVESTIGATION: Analyses showed that the *sulfadiazine tablets* contained not more than 78.3 percent of the labeled amount of sulfadiazine and that the *diethylstilbestrol tablets* contained not more than 76.4 percent of the labeled amount of diethylstilbestrol.

LIBELED: 11-9-53, Dist. N. J.

CHARGE: *Sulfadiazine tablets*. 501 (b)—the article purported to be and was represented as a drug, the name of which is recognized in the United States Pharmacopeia, an official compendium; and, when shipped, its strength differed from, and its quality fell below, the official standard since the article contained less than 95 percent of the labeled amount of sulfadiazine, the minimum permitted by the standard, and the article failed to meet the test for individual weight variation for tablets as prescribed in the standard.

*Diethylstilbestrol tablets*. 501 (b)—the article purported to be and was represented as a drug, the name of which is recognized in the United States Pharmacopeia, an official compendium; and, when shipped, its strength differed from the official standard since the article contained less than 90 percent of the labeled amount of diethylstilbestrol, the minimum permitted by the standard.

DISPOSITION: 12-16-53. Default—destruction.

5068. Clinical thermometers. (F. D. C. No. 38960. S. Nos. 1-849 M, 1-875/6 M.)

QUANTITY: 195 *clinical thermometers* at Wilmington, N. C.

SHIPPED: 12-22-55, from New York, N. Y., by Affiliated Drug Stores, Inc.

LABEL IN PART: (Box) "Cardinal Fever Thermometer Kind—Rectal [or "Oral"]."

ACCOMPANYING LABELING: Leaflets designated "Certificate of Accuracy For Clinical Thermometer \* \* \* Cardinal Thermometer Co. 67-02 60th Street Brooklyn 27, N. Y."

RESULTS OF INVESTIGATION: Examination revealed that 7 out of 48 thermometers taken from this lot failed to comply with Commercial Standard CS1-52 since 5 failed to give readings of required accuracy and 2 failed to meet the hard shaker test.

LIBELED: 2-20-56, E. Dist. N. C.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the statement in the labeling accompanying the article, when shipped, namely, "We, the undersigned manufacturers, hereby certify that this registering clinical thermometer has been tested and found to meet all the requirements and tests specified in Commercial Standard CS1-52, as developed by the trade under the procedure of the Commodity Standards Division, and issued by the United States Department of Commerce," was false and misleading.

DISPOSITION: 4-11-56. Default—destruction.

5069. Clinical thermometers. (F. D. C. No. 38987. S. No. 48-371 M.)

QUANTITY: 121 *clinical thermometers* at Passaic, N. J.

SHIPPED: 12-12-55, from New York, N. Y., by Emrose Thermometer Co.

**LABEL IN PART:** (Envelope) "Style Rectal One Omega Clinical Thermometer  
\* \* \* Accurate."

**RESULTS OF INVESTIGATION:** Examination of 24 thermometers revealed that 6 thermometers failed to comply with the requirement for accuracy specified in CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in CS1-52.

**LIBELED:** 3-9-56, Dist. N. J.

**CHARGE:** 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the statements in the labeling of the article, namely, (on certificate of examination) "We, the undersigned distributors hereby certify that this registering Clinical Thermometer marked OMEGA has been examined and tested and found to meet all the requirements and tests specified in commercial standard, CS1-52" and (on envelope and two-dozen package) "Accurate," were false and misleading since they were contrary to fact.

**DISPOSITION:** 4-24-56. Default—destruction.

### DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

#### DRUGS FOR HUMAN USE\*

**5070. In-Flam-Go.** (F. D. C. No. 33787. S. No. 31-615 L.)

**INFORMATION FILED:** 6-10-53, E. Dist. Mich., against Cripps In-Flam-Go Sales Co., a partnership, Detroit, Mich., and Keith J. Cripps, partner.

**SHIPPED:** 7-25-51, from Michigan to Missouri.

**LABEL IN PART:** (Btl.) "In-Flam-Go \* \* \* Ingredients: Free Iodine and C. P. Oil."

**ACCOMPANYING LABELING:** Leaflets headed "It Will Surprise You" and "A Truly Remarkable Product" and a display easel headed "In-Flam-Go."

**CHARGE:** 502 (a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an adequate and effective treatment for inflammation, goiter, varicose veins, sprains, arthritis, neuritis, sties, burns and scalds, underactive and overactive thyroid glands, neuralgia, backache, sore muscles, bruises, impetigo, varicose ulcers, gangrene, hardening of the arteries, tonsillitis, sore throat, ringworm, eczema, sinus conditions, swelling of the glands, and high blood pressure.

**PLEA:** Not guilty.

**DISPOSITION:** On 5-1-56, the case came on for trial before a court and jury. At the conclusion of the trial on 5-4-56, the court dismissed the case against the partnership, and the jury returned a verdict of guilty against Defendant Cripps. On 6-27-56, the court placed the defendant on probation for 2 years.

**5071. Father Francis' herb formulas.** (F. D. C. No. 37264. S. Nos. 82-922/30 L.)

**INFORMATION FILED:** 7-7-55, N. Dist. Ill., against Mary Piatek, t/a Father Francis' Herbs, Chicago, Ill.

**ALLEGED VIOLATION:** Between 11-11-53 and 10-5-54, the defendant caused a number of copies of a leaflet, which contained statements regarding the diseases, symptoms, and conditions for which the articles were intended, to accompany

\*See also Nos. 5061, 5065, 5068, 5069.